

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID M. KOLLER
Plaintiff,

:

v.

:

CIVIL NO. 10-2933

RILEY ROPER HOLLIN &
COLAGRECO
Defendant.

:

ORDER

AND NOW, this 27th day of February, 2012, upon consideration of Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (Doc. No. 16) and Plaintiff's Response thereto (Doc. No. 18), it is hereby ORDERED that said Motion is GRANTED IN PART and DENIED IN PART as follows:

- (1) Defendant's Motion to Dismiss Count I of Plaintiff's Amended Complaint is DENIED;
- (2) Defendant's Motion to Dismiss Counts II, III, IV and V of Plaintiff's Amended Complaint is GRANTED and said Counts are dismissed with prejudice; and
- (3) Defendant shall file an Answer to Count I of Plaintiff's Amended Complaint within twenty (20) days of this Order.

BY THE COURT:

/s/ C. Darnell Jones, II
C. Darnell Jones, II J.